

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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|---------------------------|---|-----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | 2:11-CR-414-PMP-(CWH) |
| |) | |
| JUAN CARDENAS, |) | |
| JOSE CARDENAS, |) | |
| JAVIER PICHARDO-LOPEZ, |) | |
| |) | |
| Defendants. |) | |

FINAL ORDER OF FORFEITURE

On February 3, 2012, the United States District Court for the District of Nevada entered Preliminary Orders of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 21, United States Code, Section 853(a)(1) and (a)(2); Title 18, United States Code, Section 924(d)(1), (2)(C) and (3)(B) and Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c) based upon the pleas of guilty by defendants JUAN CARDENAS and JOSE CARDENAS to the criminal offenses, forfeiting specific property alleged in the Criminal Indictment and agreed to in the Plea Memorandums and shown by the United States to have the requisite nexuses to the offenses to which defendants JUAN CARDENAS and JOSE CARDENAS pled guilty. Criminal Indictment, ECF No. 22; Change of Plea Minutes as to Juan Cardenas, ECF No. 49; Change of Plea Minutes as to Jose Cardenas, ECF No. 50; Plea Memorandum as to Juan Cardenas, ECF No. 54; Plea Memorandum as to Jose Cardenas, ...

1 ECF No. 52; Preliminary Order of Forfeiture as to Juan Cardenas, ECF No. 58; Preliminary Order of
2 Forfeiture as to Jose Cardenas, ECF No. 56.

3 On April 8, 2013, the United States District Court for the District of Nevada entered a
4 Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2); Title 21, United
5 States Code, Section 853(a)(1) and (a)(2); Title 18, United States Code, Section 924(d)(1), (2)(C)
6 and (3)(B) and Title 28, United States Code, Section 2461(c); and Title 21, United States Code,
7 Section 881(a)(11) and Title 28, United States Code, Section 2461(c) based upon the plea of guilty
8 by defendant JAVIER PICHARDO-LOPEZ to the criminal offense, forfeiting specific property
9 alleged in the Criminal Indictment and agreed to in the Plea Memorandum and shown by the United
10 States to have the requisite nexus to the offense to which defendant JAVIER PICHARDO-LOPEZ
11 pled guilty. Criminal Indictment, ECF No. 22; Change of Plea Minutes, ECF No. 102; Plea
12 Memorandum, ECF No. 104; Preliminary Order of Forfeiture, ECF No. 106.

13 This Court finds the United States of America published the notice of the forfeiture in
14 accordance with the law on July 10, 2012, July 17, 2013, and July 24, 2013, in the Las Vegas
15 Review-Journal and/or Las Vegas Sun through July 18, 2013, notifying all potential third parties of
16 their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 115. Notice of Filing
17 Service of Process, ECF No. 116.

18 On May 9, 2013, John Vinzant was served by regular mail and certified mail with the Notice
19 and Preliminary Orders of Forfeiture for Juan Cardenas, Jose Cardenas, and Javier Pichardo-Lopez.
20 Notice of Filing Service of Process, ECF No. 116.

21 On June 3, 2013, John Vinzant filed a Claim with the court. Claim, ECF No. 107. On June
22 21, 2013, the Petition, Stipulation for Return of Property and Order (ECF No. 109) was filed with
23 the court. On June 24, 2013, the Order Granting the Petition, Stipulation for Return of Property
24 (ECF No. 110) was entered.

25 This Court finds no other petitions were filed herein by or on behalf of any person or entity
26 and the time for filing such petitions and claims has expired.

1 This Court finds no petitions are pending with regard to the assets named herein and the
2 time for presenting such petitions has expired.

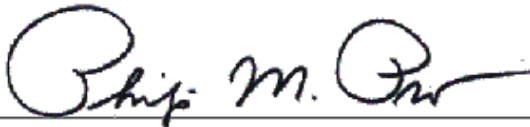
3 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all right,
4 title, and interest in the property hereinafter described is condemned, forfeited, and vested in the
5 United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R. Crim. P.
6 32.2(c)(2); Title 21, United States Code, Section 853(a)(1) and (a)(2); Title 18, United States Code,
7 Section 924(d)(1), (2)(C) and (3)(B) and Title 28, United States Code, Section 2461(c); Title 21,
8 United States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c); and Title
9 21, United States Code, Section 853(n)(7) and shall be disposed of according to law:

- 10 1. a Smith & Wesson model 659, .9mm semiautomatic pistol, serial number
11 TBL8273;
- 12 2. any and all ammunition; and
- 13 3. \$640.00 in United States Currency (all of which constitutes "property").

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
15 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well as
16 any income derived as a result of the United States of America's management of any property
17 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
18 according to law.

19 The Clerk is hereby directed to send copies of this Order to all counsel of record and three
20 certified copies to the United States Attorney's Office.

21 DATED this 9th day of September, 2013.

22
23 
24 UNITED STATES DISTRICT JUDGE
25
26

PROOF OF SERVICE

I, Michelle C. Lewis, Paralegal Specialist, certify that the following individuals were served with copies of the Final Order of Forfeiture on September 5, 2013 by the below identified method of service:

CM/ECF

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/s/MichelleC.Lewis
MICHELLE C. LEWIS
Paralegal Specialist